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COUNTY OF MERCED, MERCED COUNTY  
SHERIFF'S OFFICE, VERNON WARNKE, SOTO,  
ANDREA SWEENEY, and ROMAN GRANADO

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

ESTATE OF JACOB APODACA and ROBERT  
APODACA JR.,

Plaintiffs,

vs.

COUNTY OF MERCED, MERCED COUNTY  
SHERIFF'S OFFICE, VERNON WARNKE,  
SOTO, ANDREA SWEENEY, ROMAN  
GRANADO, and DOE 1 to 20,

Defendants.

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Attorneys for Plaintiffs  
ESTATE OF JACOB APODACA  
and MARISEL PEREZ

Case No. 1:23-cv-00171-JLT-SAB

**STIPULATION FOR REFERRAL AND  
SETTLEMENT CONFERENCE;  
[PROPOSED] ORDER**

MARISEL PEREZ, individually, and successor  
in interest to the Deceased, Jacob Apodaca,

Plaintiff,

vs.

COUNTY OF MERCED, MERCED COUNTY  
SHERIFF'S OFFICE, VERNON WARNKE,  
SOTO, ANDREA SWEENEY, ROMAN  
GRANADO, and DOE 1–20,

Defendants.

Case No. 1:23-cv-00864-JLT-EPG

### STIPULATION

Pursuant to Local Rule 270, the parties—Plaintiffs Estate of Jacob Apodaca and Robert Apodaca Jr.; Plaintiffs Estate of Jacob Apodaca and Marisel Perez; and Defendants County of Merced, Merced County Sheriff's Office, Vernon Warnke, Soto, Andrea Sweeney, and Roman Granado—submit the following Joint Stipulation for Referral and Settlement Conference.

WHEREAS, the parties jointly agree to participate in a settlement conference before Magistrate Judge Kendall J. Newman;

WHEREFORE, the parties have contacted and confirmed the availability of their principals and Magistrate Judge Kendall J. Newman to conduct a settlement conference in this matter on November 6, 2023; and

Now, THEREFORE, the parties STIPULATE:

1. that this matter shall be REFERRED to Magistrate Judge Kendall J. Newman for purposes of scheduling and conducting a settlement conference; and
2. that a settlement conference shall be SCHEDULED to occur in this matter before Magistrate Judge Kendall J. Newman on November 6, 2023.

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IT IS SO STIPULATED.

Dated: August 23, 2023

Respectfully Submitted,  
LAW OFFICE OF MARK E. MERIN

*/s/ Mark E. Merin*

By: \_\_\_\_\_

Mark E. Merin  
Paul H. Masuhara

Attorneys for Plaintiffs  
ESTATE OF JACOB APODACA  
and ROBERT APODACA JR.

Dated: August 30, 2023

Respectfully Submitted,

*/s/ Kaveh Navab*  
(as authorized on August 30, 2023)

By: \_\_\_\_\_

Kaveh Navab  
Karen N. Jacobs

Attorneys for Plaintiffs  
ESTATE OF JACOB APODACA  
and MARISEL PEREZ

Dated: August 30, 2023

Respectfully Submitted,  
Merced County Counsel

*/s/ Jenna M. Anderson*  
(as authorized on August 30, 2023)

By: \_\_\_\_\_

Jenna M. Anderson  
Mark T. Lalan

Attorneys for Defendants  
COUNTY OF MERCED, MERCED COUNTY  
SHERIFF'S OFFICE, VERNON WARNKE, SOTO,  
ANDREA SWEENEY, and ROMAN GRANADO

**[PROPOSED] ORDER**

GOOD CAUSE APPEARING, the parties' stipulation is GRANTED.

1. This matter is REFERRED to Magistrate Judge Kendall J. Newman for purposes of scheduling and conducting a settlement conference.
2. A settlement conference is SCHEDULED to occur in this matter before Magistrate Judge Kendall J. Newman on November 6, 2023.

IT IS SO ORDERED.

Dated: **August 31, 2023**

  
UNITED STATES DISTRICT JUDGE